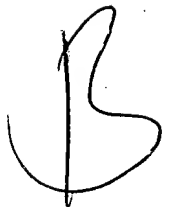


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the applied prior art. These distinctions were specifically discussed with respect to each of claims 8-12. Regardless of these distinctions, which were seen to be readily acknowledged by the Examiner, some changes were proposed to independent claims 11 and 12, with these changes corresponding to those set forth above. At that time, it was agreed that the changes would be discussed with the Examiner's supervisor and a decision made on allowance of the entire application. During a telephone call to the undersigned on March 20, 2003, the Examiner simply has requested that the proposed changes be submitted in a written response such that full and complete reconsideration of the allowance of the application could be made.

Based on the above, the exact changes previously discussed with the Examiner to the specification and claims have been made without introducing any new matter. That is, on page 2 of the specification, it was desired to delete the word "claim" on each of lines 5 and 8. This has been done in the manner set forth above. With respect to other objections made to the specification in the outstanding office action, the Examiner's attention is again brought to the preliminary amendment filed with the original application papers in this case. Upon reviewing his file, the Examiner indicated that the preliminary amendment did set forth the necessary sectional headings and that this objection to the specification would be withdrawn.

Prior to discussing the application of prior art, it should be noted that the present invention is concerned with providing an underside of a microscope slide with a label having an alpha-numeric grid constituted by an 8 x 12 array. Independent claim 8 is directed to the combination of the microscope slide and a self-adhesive label which specifically states that the slide includes a front face, upon which a sample to be analyzed is deposited, and a rear face. The label must include indicia in the form of an alpha-numeric grid, with a label being attached to the rear face of the microscope slide. Therefore, the alpha-numeric grid is visible through the front face of the microscope slide. Claim 9 depends from claim 8 and specifies that the alpha-numeric grid is printed



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as a mirror image so that the numbers and letters on the grid can be correctly viewed in a mirror. Independent claim 10 is actually directed to the adhesive label which has, on one side, an adhesive layer and, on an opposing side, a grid constituted by mirror images of alpha-numeric characters arranged in an 8 x 12 array. Claim 11 is concerned with the method of transferring DNA samples to a microscope slide having the structure set forth above, i.e., wherein the microscope slide receives the DNA samples on a front face and has a pre-printed label of an 8 x 12 alpha-numeric grid on the rear face thereof. In a similar manner, claim 12 is concerned with a method of spotting a microscope slide having such a label attached to an underside of the slide wherein the indicia provided on the label is viewed through the microscope slide. In this manner, this limitation directly corresponds to that set forth in claim 8 with respect to viewing the grid.

In the first office action, the Examiner rejected all of these claims as being unpatentable over JP 9203865 in view of U.S. Patent No. 5,784,193 issued to Ferguson. In general, the cited Japanese reference discloses utilizing a non-fluorescent ink to print a grid on a glass slide. On the other hand, Ferguson is concerned with a microscope slide upon which a removable layer is initially applied to limit the zone in which a material can be deposited on the slide. More specifically, as shown in Figures 1 and 2 of the Ferguson Patent, a microscope slide 1 has an upper surface upon which a layer 2 is placed. Layer 2 has an opening 3 which exposes a region 8 of slide 1. In this manner, material 4 can be placed only within the confined region 6 of slide 1 as any other material would fall upon the layer 2 and be subsequently removed.

Clearly, the layer arrangement disclosed in Ferguson has nothing to do with a grid and, in fact, the analogous location to where the grid exists in the Japanese reference would be the cut-out region defined by opening 3 in Ferguson. Therefore, contrary to that set forth in the first office action, Ferguson does not have any teachings concerning providing removable alignment references. Regardless, as previously conveyed to the Examiner, it is submitted that each of the claims in this application recites not just one,

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but multiple distinguishing limitations. More specifically, none of the prior art discloses a label arrangement which is attached to a rear face of a microscope slide as set forth in claim 8. In addition, the prior art does not constitute an alpha-numeric grid in the particular form of an 8 x 12 array as required by claim 8. The limitations of claim 9 concerning the mirror image arrangement has not at all been addressed in the office action. In a similar manner, none of the prior art is concerned with an adhesive label for spotting a microscope slide, wherein the label has an adhesive layer on one side and a grid on an opposing side, with the grid including mirror images of alpha-numeric characters arranged in an 8 x 12 array. Claim 11 has specific limitations concerning the transferring of DNA material to a front face of a microscope slide, while using a pre-printed label with an alpha-numeric grid provided on a rear face of the slide as a guide. Again, no such arrangement is provided, even in the combination suggested by the Examiner. The same is true with respect to claim 12 which now specifically requires the alpha-numeric grid to be provided on an underside of a microscope slide, with the indicia thereof being viewed through the microscope slide. As with independent claims 8 and 10, independent claims 11 and 12 also require the 8 x 12 array which is not at all present in the prior art or addressed in the office action.

The outstanding office action is also confusing with respect to the rejection of claims 11 and 12 since it appears that the Examiner has switched portions of the rejection from the combination of the Japanese reference in view of Ferguson to the Ferguson reference in view of the Japanese document. Regardless of the arrangement of the references, it should simply be recognized that any use of the Ferguson reference would require an opening in a removable layer, with the opening being provided at the place where a material positioned on the slide is present. This is the location where the alpha-numeric grid needs to be located. Since the label has an opening in this area, it cannot be used in connection with applying an alpha-numeric grid. In fact, the Ferguson reference has no teaching at all with respect to utilizing a label for attachment of a grid to a slide. Regardless, it is seen to be readily apparent that none of prior art discloses an alpha-



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numeric grid in an 8 x 12 array, applying the grid on the underside of a microscope slide, or employing mirror image of the alpha-numerics as covered in various combinations throughout the claims in this application.

As a final note, the Applicant filed on November 27, 2002, a supplemental information disclosure statement in this application. Although the office action acknowledged receipt and review of the art cited in an initial information disclosure statement, consideration of the supplemental information disclosure statement has not yet been acknowledged. Therefore, in the next office action, it is respectfully requested that an initialed copy of the PTO-1449 form previously submitted on November 27, 2002 be provided to complete that Applicant's records.

Based on the above remarks, the amendments to the specification and the claims, and in further view of the discussions held with the Examiner in this case, it is respectfully submitted that all the claims in this application should now be in clear condition for allowance such that allowance of the claims and passage of the application to issue is respectfully requested. If the Examiner should have any additional concerns regarding the allowance of this application, he is cordially invited to contact the undersigned at the number provided below if it would further expedite the prosecution of the application.

Respectfully submitted,



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